

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,)	INDICTMENT
)	
Plaintiff,)	(18 U.S.C. § 2251(a))
)	(18 U.S.C. § 2251(e))
v.)	(18 U.S.C. § 2253(a))
)	
NICOLAS RYAN HEATH,)	
)	
Defendant.)	

CR 10-299 PAM/JJK

THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1

(Production of Child Pornography)

From between in or about December 2006 and in or about December 2008, in the State and District of Minnesota, the defendant,

NICOLAS RYAN HEATH,

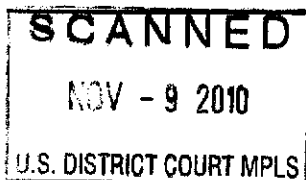
did employ, use, persuade, induce, entice, and coerce N.R.H., a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials, including an Acer laptop computer and web camera, that had been mailed, shipped, and transported in interstate commerce, in violation of Title 18, United States Code, Section 2251(a).

COUNT 2

(Production of Child Pornography)

On or about December 31, 2006, in the State and District of Minnesota, the defendant,

NICOLAS RYAN HEATH,



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did employ, use, persuade, induce, entice, and coerce N.R.H., a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials, including a Quasar Palmcorder video camera and a Sony compact video cassette tape, that had been mailed, shipped, and transported in interstate commerce, in violation of Title 18, United States Code, Section 2251(a).

COUNT 3

(Production of Child Pornography)

On or about May 15, 2009, in the State and District of Minnesota, the defendant,

NICOLAS RYAN HEATH,

did employ, use, persuade, induce, entice, and coerce N.R.H., a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials, including a Canon EOS Digital Rebel XT camera, that had been mailed, shipped, and transported in interstate commerce, in violation of Title 18, United States Code, Section 2251(a).

COUNT 4

(Production of Child Pornography)

On or about December 31, 2008, in the State and District of Minnesota, the defendant,

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NICOLAS RYAN HEATH,

did employ, use, persuade, induce, entice, and coerce D.J.H., a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials, including a Canon EOS Digital Rebel XT camera, that had been mailed, shipped, and transported in interstate commerce, in violation of Title 18, United States Code, Section 2251(a).

COUNT 5

(Production of Child Pornography)

On or about August 15, 2009, in the State and District of Minnesota, the defendant,

NICOLAS RYAN HEATH,

did employ, use, persuade, induce, entice, and coerce D.J.H. and N.R.H., minors, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials, including a Kodak Easyshare ZD 710 digital camera, that had been mailed, shipped, and transported in interstate commerce, in violation of Title 18, United States Code, Section 2251(a).

FORFEITURE ALLEGATIONS

Counts 1 through 5 of this Indictment are hereby realleged and incorporated as if fully set forth herein by reference, for the

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purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 2253(a).

As a result of the foregoing offenses, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 2253(a):

(1) any visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Chapter 110, United States Code;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property, including:

- a. One Quasar Palmcorder VHS C video camera, model VM-D52, serial number D21A10225, and one Sony compact video cassette tape found within;
- b. Western Digital hard drive, model WD800, serial number WMA8E3326673;
- c. One Seagate 120 gigabyte hard drive, model Barracuda 7200, serial number 3JT3GHC8;
- d. One IBM Think Pad computer, model 2629;
- e. One Western Digital external hard drive, model 2309G, serial number WCAUF1975999;
- f. One gray Ezonics web camera;
- g. One Canon EOS Digital Rebel XT camera, model DS126071, serial number 1320718291, with Aspherical LD/Tamron lens, base stabilizer and accessories;

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- h. One Kodak Easyshare camera, model ZD 710, serial number KCXHG73621356;
- i. One Acer laptop computer, model Aspire 5315; and
- j. Miscellaneous CDs, DVDs, compact VHS tapes, SD and other memory cards, USB and thumb drives and other storage devices.

If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b).

All in violation of Title 18, United States Code, Sections 2251(a), 2252(a)(4), 2251(e) and 2253(a).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON